

gentleman from Alabama (Mr. DAVIS), my home State, who joined me along with my fellow Alabamans, the gentleman from Alabama (Mr. EVERETT) and the gentleman from Alabama (Mr. ROGERS) in being original cosponsors of this bill.

What we saw was little Whitney and any citizen that lives in manufactured housing is basically discriminated against in Federal law today because there are not funds available for mobile home shelters for them. Had she lived on a site-built house, the Federal Government would have provided money for a tornado shelter.

One thing that we are doing with this legislation is we are going to allow all of our residents to be prepared for our next tornado, all our community, not just those that live in site-built homes.

We need to be careful as we move forward that we do have legislation that does not discriminate against any of our residents. And in this case, manufactured housing, many of our low- and middle-income residents choose this as a most affordable option, but when they choose this option they should not be discriminated against. They ought to, particularly in those areas that are tornado prone, also have an opportunity for those programs that had been created to protect them from this type of disaster or to mitigate the circumstances.

Had a shelter like this been in place in my community when this tornado hit, Whitney's father would be there to take care of her today. Whitney's little brother would be with her. Because they are not, she has continued to incur medical bills and her mother has continued to have to have assistance. And I do not want that to be the case.

I want us to be able to offer these people protection and security, and this is a very affordable way to do that and it is very sound. It works as the recent endorsement from the American Society of Civil Engineers shows.

Mr. NEY. Mr. Speaker, every year, an average of 800 tornadoes sweep across the United States, resulting in 80 deaths, more than 1,500 injuries, and millions of dollars in property damage. One of nature's most powerful and violent storms, large tornadoes often record wind speeds in excess of 250 miles per hour.

Despite rapid advances in tornado warning technologies, residents of manufactured housing communities often do not have adequate access to proper shelter. Prior to this legislation, federal monies were not available for tornado shelter construction within or around manufactured housing communities.

H.R. 23, the "Tornado Shelters Act," introduced by Congressman SPENCER BACHUS, amends section 105 of the Housing and Community Development Act of 1974 by authorizing communities to use CDBG monies to construct or improve tornado-safe shelters located in manufactured housing parks.

The Community Development Block Grant (CDBG) program is generally recognized as the primary vehicle for targeted community development of cities, counties and rural areas to principally benefit low- and moderate-in-

come persons. Grantees may use the funds for housing activities, economic development, public facilities (such as day care centers or health centers), public improvements (such as street repairs), public services (such as social programs for elderly, youth or abused), urban renewal, or planning and administration.

Shelters built under the auspices of this bill must be located in a neighborhood (including a manufactured housing park) that has twenty or more manufactured housing units, populated by persons of predominantly low- to moderate-income, and located in an area where a tornado occurred within the current or three (3) previous fiscal years. Each constructed shelter must comply with HUD's standards for construction and safety, and it must be of sufficient size to accommodate all residents of the manufactured housing park at one time.

The bill further stipulates that an operational warning siren, which ensures adequate notice of a tornado, must be located within a neighborhood where the shelter is located or within 1,500 feet of a manufactured housing park. The final provision authorizes \$5 million in appropriations for FY 2004.

In light of the recent devastating tornadoes in the South and Midwest, this legislation is not only timely, but also pertinent. As many of you may know, the tornado season began in early March and continues through early summer. Mr. Bachus has often said that in the face of a tornado threat we can do two things—pray and prepare. Pray it won't happen again and prepare for the next line of twisters.

While the citizens can pray, our government and this Congress can help them prepare. I would encourage members to support this legislation and I urge its final passage.

Mr. OXLEY. Mr. Speaker, I appreciate the opportunity to support H.R. 23—"The Tornado Shelters Act," introduced by my Colleague, the Gentleman from Alabama, Mr. BACHUS.

The legislation would permit the use of CDBG (Community Development Block Grant) funds to construct or enhance tornado shelters in manufactured housing communities or for residents of manufactured housing.

Mr. Speaker, while my area of the country suffers outbreaks of tornadoes, it is far from "Tornado Alley" located in other parts of the Midwest and the Deep South. Therefore, I understand and appreciate the urgency to pass this legislation.

As many of you may know, the tornado season started in early March and usually continues through July.

In this calendar year-2003, 54 people have died from 18 tornadoes, with the two worst in Tennessee and Missouri on May 4th with 11 and 8 fatalities, respectively.

In 2002, 55 people died from tornadoes.

The biggest outbreak of tornadoes occurred on April 3 and 4, 1974, and 147 tornadoes touching down in 13 U.S. states. The outbreak killed 310 in the U.S., 8 in Canada, with 5,454 U.S. injuries and 23 hurt in Canada. Forty-eight of the tornadoes were killers. Seven produced damage rated F5—the maximum possible—and 23 more were rated F4. This was one of only two outbreaks with over 100 confirmed tornadoes, the other being with Hurricane Beulah in 1967 (115 tornadoes).

The most destructive tornado in history was the Bridge Creek-Moore-Oklahoma City-Midwest City, OK, tornado of May 3, 1999, with

over \$1 billion in damage, both in absolute amount and normalized to 1999 dollars.

Community tornado shelters are excellent ideas for apartment complexes, schools, mobile home parks, factories, office complexes and other facilities where large groups of people live, work or study.

I am struck by the words of my colleague from Alabama, the site of far too many of these killer storms. Mr. BACHUS says that in the face of the tornado threat we can do two things—pray and prepare. Pray it won't happen again, and prepare for the next line of twisters.

While the citizens can pray, our government can help us prepare. This common-sense legislation would allow communities to build or improve tornado shelters in manufactured housing communities.

Mr. Speaker, I support this legislation and thank Mr. BACHUS for his leadership.

I urge passage of this legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BACHUS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 23, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## IMPROVING THE UNITED STATES CODE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1437) to improve the United States Code.

The Clerk read as follows:

H. R. 1437

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. LEGISLATIVE PURPOSE AND CONSTRUCTION.

(a) PURPOSE.—The purpose of this Act is to improve the United States Code by making necessary technical changes.

(b) NO SUBSTANTIVE CHANGE.—This Act makes no substantive change in existing law and may not be construed as making a substantive change in existing law.

(c) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.

### SEC. 2. TECHNICAL CHANGES IN PUBLIC LAW 107-217.

(a) TECHNICAL CHANGES IN SCHEDULE OF LAWS REPEALED.—The Schedule of Laws Repealed, which is contained in section 6(b) of Public Law 107-217 (116 Stat. 1304), is amended as follows:

(1) In the item related to the Act of May 29, 1920 (ch. 214, 41 Stat. 642, 654), insert "on

p. 654" after "words in par. under heading 'Independent Treasury'".

(2) In the item related to the Act of September 9, 1940 (ch. 717, 54 Stat. 873), strike "3d proviso" and substitute "last proviso".

(3) In the item related to the Act of July 5, 1952 (ch. 576, 66 Stat. 385, 400), strike ", proviso on p. 400" (in the Section column), ", 400" (in the Page column), and ", 313-2" (in the U.S. Code column) and insert, immediately below, "578" (in the Chapter or Pub-

lic Law column), "101 (proviso on p. 400)" (in the Section column), "66" (in the Volume column), "400" (in the Page column), and "313-2" (in the U.S. Code column).

(4) In the item related to the Act of July 31, 1953 (ch. 299, 67 Stat. 290), strike "4th proviso" and substitute "3d proviso".

(5) In the item related to the Act of June 29, 1956 (ch. 479, 70 Stat. 447), strike "par." and substitute "proviso".

(6) In the item related to the Act of August 6, 1973 (Public Law 93-83, 87 Stat. 216), strike "2" (in the Section column) and substitute "2 'Sec. 525'".

(7) In the item related to the Act of March 12, 2002 (Public Law 107-149, 116 Stat. 66), shift to the right one column the matter in the Section, Volume, and Page columns and insert, in the Section column, "1-13".

(8) Insert the following items:

## SCHEDULE OF LAWS REPEALED

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 unless otherwise specified)
			Vol- ume	Page	
1935					
July 8	374 .....	1 (matter classified to 40:26) .....	49	469 .....	26
1936					
Apr. 17	233 .....	1 (matter classified to 40:26) .....	49	1224 .....	26
1942					
Sept. 9	558 .....	1 .....	56	750 .....	174f
	.....	2 .....	56	751 .....	174f note
	.....	3 .....	56	751 .....	174g
	.....	4 .....	56	751 .....	174h
	.....	5 .....	56	751 .....	174i
	.....	6 .....	56	751 .....	174j
	.....	7 .....	56	751 .....	174f note
1943					
July 12	215 .....	1 (matter classified to 40:435) .....	57	425 .....	435
1944					
June 28	296 .....	1 (matter classified to 40:435) .....	58	456 .....	435
1945					
May 5	109 .....	1 (matter classified to 40:435) .....	59	160 .....	435
1946					
June 22	445 .....	1 (matter classified to 40:435) .....	60	292 .....	435
July 30	698 .....	1 .....	60	711 .....	436
	.....	2 .....	60	711 .....	437
	.....	3 .....	60	711 .....	438
	.....	4 .....	60	712 .....	439
1947					
July 30	358 .....	306 (matter classified to 40:19 note) .....	61	584 .....	19 note
1949					
June 30	286 .....	201 (matter classified to 40:284) .....	63	373 .....	284
1950					
May 3	152 .....	2 .....	64	98 .....	440
	.....	3 .....	64	99 .....	441
	.....	4 .....	64	100 .....	442
	.....	5 .....	64	100 .....	443
	.....	6 .....	64	100 .....	444
1953					
July 30	282 .....	108 .....	67	231 .....	459
1954					
July 22	560 .....	101 (related to redesignation of former "Sec. 411" as former "Sec. 412") .....	68	518 .....	298a note
	.....	101 (related to new "Sec. 411") .....	68	518 .....	356
	.....	102 .....	68	521 .....	357
	.....	103 .....	68	521 .....	356 note
Aug. 2	649 .....	804 .....	68	643 .....	459
1955					
July 12	331 .....	(related to redesignation of former "Sec. 412" as "Sec. 413") .....	69	297 .....	298a note
	.....	(related to new "Sec. 412") .....	69	297 .....	356a
Aug. 5	568 .....	101 (matter classified to 40:166b note) .....	69	515 .....	166b note
	.....	101 (matter classified to 40:166b-1) .....	69	515 .....	166b-1
1956					
June 27	452 .....	201 (matter classified to 40:459 note) .....	70	353 .....	459 note
July 9	525 .....	1 .....	70	510 .....	356
1957					
July 1	85-75 .....	101 (matter classified to 40:166b-1) .....	71	251 .....	166b-1
1961					
Aug. 10	87-130 .....	101 (matter classified to 40:166b-1) .....	75	329 .....	166b-1
1965					
Mar. 9	89-4 .....	203 .....	.....	.....	40 App.:203
	.....	204 .....	.....	.....	40 App.:204
	.....	205 .....	.....	.....	40 App.:205
1976					
Oct. 18	94-541 .....	101 .....	90	2505 .....	601 note
	.....	102 .....	90	2505 .....	601a
	.....	103(1), (2) .....	90	2505 .....	606
	.....	103(3) (related to "Sec. 12(d)") .....	90	2506 .....	611
	.....	103(3) (related to "Sec. 12(e)") .....	90	2506 .....	490
	.....	103(3) (related to "Sec. 12(c)") .....	90	2506 .....	611
	.....	104 .....	90	2506 .....	490
1979					
Oct. 12	96-86 .....	101(c) [H.R. 4390, title I (matter classified to 40:166a)] .....	93	657 .....	166a
1990					
Nov. 5	101-509 .....	625 .....	104	1476 .....	490b note
1991					
Oct. 28	102-141 .....	604 .....	105	868 .....	490b note
1992					
Oct. 6	102-393 .....	604 .....	106	1766 .....	490b note
1993					
Oct. 28	103-123 .....	603 .....	107	1259 .....	490b note
1994					
Sept. 30	103-329 .....	603 .....	108	2416 .....	490b note
1995					
Nov. 19	104-52 .....	603 .....	109	497 .....	490b note

SCHEDULE OF LAWS REPEALED—Continued  
Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 unless otherwise specified)
			Vol- ume	Page	
1996 Sept. 30	104-208 .....	101(f) [title VI, § 603] .....	110	3009-353 .....	490b note
1997 Oct. 10	105-61 .....	603 .....	111	1308 .....	490b note

## REVISED STATUTES

Revised Statutes Section	United States Code	
	Title	Section
355 .....	40	255
1797 .....	40	19
1800 .....	40	45
1801 .....	40	48
1802 .....	40	54
1803 .....	40	56
1804 .....	40	57
1805 .....	40	55
1807 .....	40	46
1808 .....	40	47
1809 .....	40	49
1810 .....	40	51
1811 .....	40	52
1812 .....	40	50
1818 .....	40	66
1819 .....	40	192
1830 .....	40	102
1835 .....	40	221
3750 .....	40	301
3751 .....	40	306
3752 .....	40	305
3753 .....	40	308
3754 .....	40	309
3755 .....	40	310

(b) REVIVAL OF CERTAIN PROVISIONS.—Section 6(b) of Public Law 107-217 (116 Stat. 1304) is repealed insofar as it relates to the provisions listed below, and the provisions listed below are revived to read as if section 6(b) had not been enacted:

(1) Section 1(a) of the Act of June 30, 1949 (ch. 288, 63 Stat. 377).

(2) Section 509(b) of the Department of Education Organization Act (Public Law 96-88, 93 Stat. 695).

(3) Public Law 101-427 (104 Stat. 927).

(4) Section 7306 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 108 Stat. 3384).

**SEC. 3. TECHNICAL CHANGES IN TITLE 40, UNITED STATES CODE.**

Title 40, United States Code, is amended as follows:

(1) In section 3304(b), insert “, by purchase, condemnation, donation, exchange, or otherwise,” after “may acquire”.

(2) In section 5107, strike “5105, 5105” and substitute “5105, 5106”.

**SEC. 4. CONFORMING CROSS-REFERENCES.**

(a) TITLE 5.—In section 5334(a) (matter after cl. (7)) of title 5, United States Code, strike “section 106(2) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)” and substitute “section 14306(a)(2) of title 40”.

(b) TITLE 10.—Title 10, United States Code, is amended as follows:

(1) In section 2194(b)(2)—

(A) insert “subtitle I of title 40 and title III of” before “the Federal”; and

(B) strike “(40 U.S.C. 471 et seq.)” and substitute “(41 U.S.C. 251 et seq.)”.

(2) In section 2225(b)(9), strike “sections 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422, 1423)” and substitute “sections 11312 and 11313 of title 40”.

(3) In section 2305a(c)(1), strike “the Brooks Architect-Engineers Act (40 U.S.C. 541 et seq.)” and substitute “chapter 11 of title 40”.

(4) In section 2667(b)(5), as amended by section 3(b)(12)(B) of Public Law 107-217 (116 Stat. 1296), strike the comma appearing after “of title 40”.

(5) In section 4553(d), strike “Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b),” and substitute “Section 1302 of title 40”.

(6) In section 7422(c)(1) (matter after cl. (D)), strike “lands” within the meaning of that Act” and substitute “land” within the meaning of those sections”.

(7) In section 9781(g), as amended by section 3(b)(40)(C) of Public Law 107-217 (116 Stat. 1298)—

(A) strike “subtitle III of the Federal Property and Administrative Services Act of 1949” and substitute “title III of the Federal Property and Administrative Services Act of 1949”; and

(B) strike “. (41 U.S.C. 251 et seq.)” and substitute “(41 U.S.C. 251 et seq.)”.

(c) TITLE 13.—In section 15 of title 13, United States Code, strike “; 40 U.S.C. 278a”.

(d) TITLE 23.—In section 104(a)(1) of title 23, United States Code, strike “section 201 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)” and substitute “section 14501 of title 40”.

(e) THE INTERNAL REVENUE CODE OF 1986.—In section 7608(c)(1)(A)(i)(IV) of the Internal Revenue Code of 1986 (26 U.S.C. 7608(c)(1)(A)(i)(IV)), as amended by section 3(f) of Public Law 107-217 (116 Stat. 1299), strike “title 40” and substitute “title 40, United States Code”.

(f) TITLE 31.—Title 31, United States Code, is amended as follows:

(1) In section 1105(g)(2)(B)(ii), as amended by section 3(h)(3) of Public Law 107-217 (116 Stat. 1299), insert “section” before “1102 of title 40”.

(2) In section 9303(d)(1), as amended by section 3(h)(9)(B)(i) of Public Law 107-217 (116 Stat. 1300), strike the comma appearing after “sections 3131 and 3133 of title 40”.

(g) TITLE 35.—In section 2(b)(4)(A) of title 35, United States Code, strike “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.), the Public Buildings Act (40 U.S.C. 601 et seq.),” and substitute “subtitle I and chapter 33 of title 40, title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

(h) TITLE 36.—Section 2113 of title 36, United States Code, is amended as follows:

(1) In subsection (a)(2), strike “(40 U.S.C. 1003 note)” and substitute “(40 U.S.C. 8903 note)”.

(2) In subsection (c)(1), strike “section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b))” and substitute “section 8906(b) of title 40”.

(3) In subsection (e), strike “section 8 of the Commemorative Works Act (40 U.S.C. 1008)” and substitute “section 8906 of title 40”.

(4) In subsection (h)—

(A) strike “section 10 of the Commemorative Works Act (40 U.S.C. 1010)” and substitute “section 8903(e) of title 40”; and

(B) strike “(40 U.S.C. 1003 note)” and substitute “(40 U.S.C. 8903 note)”.

(i) TITLE 38.—Title 38, United States Code, is amended as follows:

(1) In section 8162(a)(3), as amended by section 3(j)(5)(B) of Public Law 107-217 (116 Stat. 1301), strike the comma appearing after “of title 40”.

(2) In section 8165(c), as amended by section 3(j)(6) of Public Law 107-217 (116 Stat.

1301), strike the comma appearing after “of title 40”.

(j) TITLE 39.—Section 410(d) of title 39, United States Code, is amended as follows:

(1) In paragraph (1), strike “section 276a of title 40” and substitute “section 3142 of title 40”.

(2) In paragraph (2), strike “section 276c of title 40” and substitute “section 3145 of title 40”.

(k) TITLE 49.—In section 40110(d)(2) of title 49, United States Code—

(1) strike clause (G);

(2) redesignate clause (H) as clause (G); and

(3) in clause (G) as redesignated, strike “subparagraphs (A) through (G)” and substitute “subparagraphs (A) through (F)”.

**SEC. 5. EFFECTIVE DATE.**

This Act and amendments and repeals made by this Act are effective August 21, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1437.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I introduced H.R. 1437 on March 25, 2003, along with the ranking member of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS).

The Office of Law Revision Counsel of the House of Representatives has prepared this bill and submitted it to the Committee on the Judiciary under Section 285(b) of Title 2, United States Code. Pursuant to Rule X of the House of Representatives, the Committee on the Judiciary maintains jurisdiction over the revision codification of statutes of the United States.

Last year, the House passed by voice vote H.R. 2068 which codified, without substantive change, certain general and permanent laws relating to Public Buildings, Property, and Works of Title 40 of the United States Code.

After Senate passage, H.R. 2068 was signed into law as Public Law 107-217 on August 21, 2002. H.R. 1437 makes necessary technical and conforming changes to Public Law 107-217 and Title 40 of the United States Code, and it does not change the substance of the existing law.

I am not aware of any controversy with respect to this bill, and I would encourage all Members to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I note that H.R. 1437 does indeed, as the chairman has indicated, make technical corrections to the United States Code that were suggested by the Office of Law Revision Counsel. None of the changes are substantive. No one on the Committee on the Judiciary on either side of the aisle had any objections to this bill. I support the legislation and would urge its swift passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1437.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### AMENDING THE PROTECT ACT TO CLARIFY CERTAIN VOLUNTEER LIABILITY

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1280) to amend the PROTECT Act to clarify certain volunteer liability.

The Clerk read as follows:

S. 1280

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AMENDMENT TO THE PROTECT ACT.

Section 108 of the PROTECT ACT (Public Law 108-21) is amended by adding at the end the following:

“(e) LIMITATION ON LIABILITY.—In connection with the Pilot Programs established under this section, in reliance upon the fitness criteria established under section 108(a)(3)(G)(i), and except upon proof of actual malice or intentional misconduct, the National Center for Missing and Exploited Children, or a director, officer, employee, or agent of the Center shall not be liable in any civil action for damages—

“(1) arising from any act or communication by the Center, the director, officer, employee, or agent that results in or contributes to a decision that an individual is unfit to serve as a volunteer for any volunteer organization;

“(2) alleging harm arising from a decision based on the information in an individual’s criminal history record that an individual is fit to serve as a volunteer for any volunteer organization unless the Center, the director, officer, employee, or agent is furnished with an individual’s criminal history records which they know to be inaccurate or incomplete, or which they know reflect a lesser

crime than that for which the individual was arrested; and

“(3) alleging harm arising from a decision that, based on the absence of criminal history information, an individual is fit to serve as a volunteer for any volunteer organization unless the Center, the director, officer, employee, or agent knows that criminal history records exist and have not been furnished as required under this section.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1280.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when the House passed S. 151, the PROTECT Act, which was signed into law by President Bush on April 30, 2003, we directed the Attorney General to establish a pilot program to perform background checks on individuals that volunteered to work with children.

The pilot project, among other things, requires the National Center for Missing and Exploited Children to act as a liaison between several volunteer organizations that work with children in the FBI. Under the pilot project, the Center will receive from the FBI background check information on individuals seeking to volunteer with children and make a determination as to the suitability of those individuals for volunteer organizations.

This legislation seeks to correct an oversight in that pilot project, which is scheduled to begin next week, a week from tomorrow on July 29, 2003. This legislation clarifies the Center’s liability in connection with the pilot program in three specific situations and protects the Center from lawsuits in any one of three different situations except in cases where there is intentional misconduct or actions taken with actual malice.

First, the bill stipulates that the Center shall not be held liable for any act or communication that results in a decision that an individual is unfit to serve as a volunteer for any volunteer organization. The purpose of this program is to keep individuals who are potentially dangerous away from our children, and it needs to be clear that the Center will not be sued as a result of making this determination.

Second, this legislation also addresses the unfortunate situation where an individual with a criminal history may be cleared by the Center due to inaccurate or incomplete records and sub-

sequently commits a crime in their capacity as a volunteer.

The hope is that this program will be 100 percent successful in keeping criminals away from our children. However, we must also acknowledge that the effectiveness of these background checks are predicated on the accuracy and completeness of the records the FBI relies upon. Unless the Center willfully ignores information indicating that an individual might be a potential danger, they should not be responsible for subsequent crimes committed by that individual.

The third and final section of this bill addresses the situation where a decision is made to clear an individual based on the absence of criminal history information. In this case, were the individual to subsequently commit a crime, the Center would be protected unless they knew that criminal history records existed and have not been furnished.

I urge my colleagues to expeditiously vote in favor of this legislation to ensure the smooth operation of this pilot project and the protection of the National Center for Missing and Exploited Children, and would point out that unless this bill is enacted into law by a week from Tuesday, the pilot project will be delayed.

Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a technical amendment, it seems to me, to the PROTECT Act signed into law, as the chairman said, on April 30, and it merely clarifies the legal liability of the National Center for Missing and Exploited Children when it conducts background checks on volunteers that work with children.

The PROTECT Act, which I and 400 other Members of the House supported, creates this pilot project which the chairman has described; and the National Center for Missing and Exploited Children has been selected to conduct these checks on volunteers who work with children.

I think it is important that the pilot program will provide safeguards that ensure the volunteer consents to the background check and allows the volunteer to correct erroneous information in the criminal history database because we want accurate information and that is part of accuracy. But we also need to establish clear criteria for the circumstances in which an individual could be deemed unfit to volunteer to work with children.

This amendment simply clarifies that absent proof of knowing malicious or intentional conduct, the National Center for Missing and Exploited Children and its employees will not be liable for the actions they take in conducting these background checks in deciding whether an individual is fit to volunteer to work with children.

The other body passed this bill by unanimous consent, and I believe this